

Curtis C. Gunn
San Antonio River Authority

Thomas Drought
San Antonio River Authority

Dr. Elmer Baum
State Banking Board

These appointees were neither confirmed nor rejected by the Senate. They are being returned to you at your request with no action being taken thereon.

Sincerely yours,
CHARLES A. SCHNABEL,
Secretary of the Senate.

CAS/pb
cc:Senate Journal Clerk

SIXTY-NINTH DAY

(Continued)

After Recess

(Thursday, May 13, 1971)

The Senate met at 9:15 o'clock a.m., and was called to order by Senator Hall.

The roll was called and the following Senators were present:

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

A quorum was announced present.

Co-Author of Senate Bill 877

On motion of Senator Hightower and by unanimous consent, Senator Sherman will be shown as Co-author of S. B. No. 877.

Committee on Education Granted Permission to Meet While Senate in Session

On motion of Senator Mauzy and by unanimous consent, the Committee on Education was granted permission to meet while the Senate was in session.

Committee on Environment Granted Permission to Meet While Senate in Session

On motion of Senator Watson and by unanimous consent, the Committee on Environment was granted permission to meet while the Senate was in session.

Reports of Standing Committees

By unanimous consent, Senator Moore submitted the following reports for the Committee on State Affairs:

S. B. No. 789.

S. B. No. 787.

S. B. No. 773.

S. B. No. 4.

H. C. R. No. 67.

H. B. No. 637.

H. B. No. 750.

H. B. No. 297.

S. B. No. 875.

S. B. No. 969.

H. B. No. 752.

S. B. No. 82 (Amended).

By unanimous consent Senator Bates submitted the following report for the Committee on Transportation:

H. C. R. No. 41 (Floor Report).

By unanimous consent, Senator Brooks submitted the following reports for the Committee on State Departments and Institutions:

H. B. No. 1352.

H. B. No. 66.

H. B. No. 1270.

H. B. No. 749.

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 13, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 63, Memorializing the Congress of the United States to convert Wesley Manor, Weslaco, Texas, into a Veterans Administration Hospital to serve the Rio Grande Valley area.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Bills Signed

The Presiding Officer announced the signing by the President in the presence of the Senate after the caption had been read, the following enrolled bills:

S. B. No. 629.

S. B. No. 612.

S. B. No. 40.

Message From Governor

The following message received from the Governor was read and referred to the Committee on Nominations:

Austin, Texas,
May 13, 1971.

To the Senate of the Sixty-Second Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointment:

To be Associate Justice of the Court of Civil Appeals, Tenth Supreme Judicial District, until the next General Election and until his successor shall be duly elected and qualified: John A. James, Jr., of Cleburne, Johnson County.

Respectfully submitted,
PRESTON SMITH,
Governor of Texas.

Senate Bill 4 Ordered Not Printed

On motion of Senator Watson and by unanimous consent, S. B. No. 4 was ordered not printed.

Senate Bill 773 Ordered Not Printed

On motion of Senator Watson and by unanimous consent, S. B. No. 773 was ordered not printed.

Senate Bill 789 Ordered Not Printed

On motion of Senator Watson and by unanimous consent, S. B. No. 789 was ordered not printed.

House Concurrent Resolution 41 Ordered Not Printed

On motion of Senator Herring and by unanimous consent, H. C. R. No. 41 was ordered not printed.

Bills Removed From Local and Uncontested Bills Calendar

S. B. No. 710 and S. B. No. 891 were removed from the Local and Uncontested Bills Calendar by Senators Creighton, Grover, Harris and Ratliff.

Bills Removed From Local and Uncontested Bills Calendar

S. B. No. 403, S. B. No. 685 and S. B. No. 989 were removed from the Local and Uncontested Bills Calendar by Senators Creighton, Grover, Ratliff, Moore and Blanchard.

S. B. No. 383 was removed from the Local and Uncontested Bills Calendar by Senators Grover, Blanchard and Moore.

Bills and Resolution Added to Local and Uncontested Bills Calendar

On motion of Senators Ratliff, Creighton and Blanchard and by unanimous consent, S. B. No. 891, S. B. No. 989 and H. C. R. No. 41 were added to the Local and Uncontested Bills Calendar.

Local and Uncontested Bills Calendar

The Presiding Officer announced that the time had arrived for the consideration of the Local and Uncontested Bills Calendar in accordance with a motion previously adopted by the Senate.

The following bills were laid before the Senate, read second time, passed to engrossment, read third time and passed: (Sponsor, vote on suspension of Constitutional Three Day Rule and final passage indicated after each bill)

S. B. No. 4 (Hall) (30-1) Watson "Nay" (30-1) Watson "Nay"	S. B. No. 942 (Schwartz) (31-0) (31-0)
S. B. No. 189 (Brooks) (31-0) (31-0)	S. B. No. 965 (Wilson) (31-0) (31-0)
S. B. No. 237 (Patman) (31-0) (31-0)	S. B. No. 966 (Wilson) (31-0) (31-0)
S. B. No. 426 (Patman) (31-0) (31-0)	S. B. No. 967 (Wilson) (31-0) (31-0)
S. B. No. 454 (Bridges) (31-0) (31-0)	S. B. No. 968 (Wilson) (31-0) (31-0)
S. B. No. 484 (Hightower) (31-0) (31-0)	S. B. No. 971 (Brooks) (31-0) (31-0)
S. B. No. 575 (Patman) (31-0) (31-0)	S. B. No. 974 (Patman) (31-0) (31-0)
S. B. No. 576 (Patman) (31-0) (31-0)	S. B. No. 980 (Schwartz) (31-0) (31-0)
S. B. No. 578 (Patman) (31-0) (31-0)	S. B. No. 981 (Schwartz) (31-0) (31-0)
S. B. No. 647 (Jordan) (31-0) (31-0)	S. B. No. 982 (Schwartz) (31-0) (31-0)
S. B. No. 650 (Brooks) (30-1) Hall "present not voting" (30-1) Hall "present not voting"	S. B. No. 983 (Schwartz) (31-0) (31-0)
S. B. No. 651 (Brooks) (30-1) Hall "present not voting" (30-1) Hall "present not voting"	S. B. No. 984 (Herring) (31-0) (31-0)
S. B. No. 706 (Sherman) (31-0) (31-0)	S. B. No. 1008 (Hall) (31-0) (31-0)
S. B. No. 773 (Hall) (30-1) Watson "Nay" (30-1) Watson "Nay"	H. B. No. 130 (Harrington) (31-0) (31-0)
S. B. No. 786 (Hall) (30-1) Watson "Nay" (30-1) Watson "Nay"	H. B. No. 172 (Bridges) (31-0) (31-0)
S. B. No. 789 (Hall) (31-0) (31-0)	H. B. No. 197 (Schwartz) (31-0) (31-0)
S. B. No. 873 (Hightower) (31-0) (31-0)	H. B. No. 239 (Connally) (31-0) (31-0)
S. B. No. 878 (Jordan) (31-0) (31-0)	H. B. No. 282 (Bridges) (31-0) (31-0)
S. B. No. 883 (Watson) (31-0) (31-0)	H. B. No. 305 (Aikin) (31-0) (31-0)
S. B. No. 891 (Brooks) (29-2) Grover and Creighton "Nay" (29-2) Grover and Creighton "Nay"	C. S. H. B. No. 363 (Wilson) (31-0) (31-0)
S. B. No. 915 (Brooks) (31-0) (31-0)	H. B. No. 373 (Sherman) (31-0) (31-0)
S. B. No. 918 (Wallace) (31-0) (31-0)	H. B. No. 380 (Sherman) (31-0) (31-0)
	H. B. No. 398 (Jordan) (31-0) (31-0)

H. B. No. 411 (Word) (31-0) (31-0)	H. B. No. 1525 (Bridges) (31-0) (31-0)
H. B. No. 425 (Aikin) (31-0) (31-0)	H. B. No. 1600 (Connally) (31-0) (31-0)
H. B. No. 428 (Wilson) (31-0) (31-0)	H. B. No. 1601 (Patman) (31-0) (31-0)
H. B. No. 444 (Moore) (31-0) (31-0)	H. B. No. 1608 (Aikin) (31-0) (31-0)
H. B. No. 446 (Sherman) (31-0) (31-0)	H. B. No. 1658 (Wilson) (31-0) (31-0)
H. B. No. 491 (Bridges) (31-0) (31-0)	H. B. No. 1679 (Aikin) (31-0) (31-0)
H. B. No. 492 (Bridges) (31-0) (31-0)	H. C. R. No. 41 (Herring) (31-0)
H. B. No. 509 (Sherman) (31-0) (31-0)	The following bills were laid before the Senate, read second time, amended, passed to engrossment, read third time and passed: (Amendment(s) printed following bill number, as well as vote on suspension of Constitutional Three Day Rule and final passage)
H. B. No. 511 (Sherman) (31-0) (31-0)	
H. B. No. 512 (Sherman) (31-0) (31-0)	S. B. No. 238 (Patman)—
H. B. No. 672 (Ratliff) (31-0) (31-0)	Senator Patman offered the following Committee Amendment to the bill:
H. B. No. 726 (Wilson) (31-0) (31-0)	"Amend Senate Bill 238 by Patman by removing the words '10 active members' on line 23 and replacing them with the words '8 active members.'"
H. B. No. 759 (Herring) (31-0) (31-0)	The amendment was read and was adopted.
H. B. No. 775 (Word) (31-0) (31-0)	Senator Patman offered the following amendment to the bill:
H. B. No. 824 (Word) (31-0) (31-0)	Amend Senate Bill No. 238 by striking the number "10" on line 23 and substituting the number "8."
H. B. No. 833 (Blanchard) (31-0) (31-0)	The amendment was read and was adopted.
H. B. No. 933 (Kothmann) (31-0) (31-0)	On motion of Senator Patman and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0) (31-0)
H. B. No. 986 (Aikin) (31-0) (31-0)	C. S. S. B. No. 287 (Mauzy)—
H. B. No. 1043 (Aikin) (31-0) (31-0)	Senator Watson offered the following amendment to the bill:
H. B. No. 1086 (Aikin) (31-0) (31-0)	Amend Committee Substitute to S. B. 287 by striking out in Section 1, Subsection "(N)" on page 5 of the printed bill lines 3 through 10.
H. B. No. 1140 (Word) (31-0) (31-0)	The amendment was read and was adopted.
C. S. H. B. No. 1226 (Brooks) (31-0) (31-0)	
H. B. No. 1304 (Kothmann) (31-0) (31-0)	
H. B. No. 1339 (Patman) (31-0) (31-0)	
H. B. No. 1403 (Wilson) (31-0) (31-0)	

On motion of Senator Mauzy and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (30-1) Sherman "Nay" (30-1) Sherman "Nay"

S. B. No. 624 (Harrington)—

Senator Harrington offered the following Committee Amendment to the bill:

Amend S. B. No. 624 as follows:

After "days" on line 47, page 1, delete the period and insert the following: ", for which inspection no additional charge shall be made as set forth in Section 12 of this Act."

The Committee Amendment was read and was adopted.

On motion of Senator Harrington and by unanimous consent the caption was amended to conform to the body of the bill as amended. (31-0) (31-0)

S. B. No. 703 (Wallace)—

Senator Wallace offered the following amendment to the bill:

Amend Senate Bill 703, Section two (2) by striking the word "any" and substituting therefor the word, "may," and striking the word "set" in Section 2, (3) and inserting the word "setting."

The amendment was read and was adopted.

On motion of Senator Wallace and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (30-1) Watson "Nay" (30-1) Watson "Nay"

S. B. No. 748 (Wallace)—

Senator Wallace offered the following Committee Amendment to the bill:

Amend S. B. No. 748 by striking all below the enacting clause and substituting the following:

Section 1. As used in this Act, "owner" means the owner of the master recording, master disc, master tape, master film, or other device used for reproducing recorded sound on a phonograph record, disc, tape, film, or other material on which sound is recorded and from which the transferred recorded sound is directly or indirectly derived.

Sec. 2. A person commits a misdemeanor punishable by a fine not to exceed \$2,000 if he:

(1) knowingly reproduces for sale any sound recording without the written consent of the owner of the original recording; or

(2) sells or offers for sale any sound recording that he knows has been reproduced without the written consent of the owner of the original recording.

Sec. 3. A second offense under this Act shall be a felony punishable by a fine of not more than \$25,000, or imprisonment for not more than five years, or both.

Sec. 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Committee Amendment was read and was adopted.

Senator Wallace offered the following amendment to the bill.

Amend S. B. No. 748 by striking all above the enacting clause and substituting the following:

**"A BILL
TO BE ENTITLED**

An Act relating to the sale and reproduction for sale of a sound recording that is reproduced without the consent of the owner of the original recording; providing penalties for violation; and declaring an emergency."

The amendment was read and was adopted.

On motion of Senator Wallace and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0) (31-0)

S. B. No. 862 (Bridges)—

Senator Herring offered the following amendment to the bill:

Amend S. B. 862, Section 2, by striking the period at the end thereof and adding the following language:

"provided however, that in the event the City of Corpus Christi conveys or leases all or any part of said land to any other person, persons, firms, corporation or entity of any nature, said city shall pay to the Texas Permanent Free School Fund a sum equal to one-half ($\frac{1}{2}$) of the reasonable market value thereof."

The amendment was read and was adopted.

On motion of Senator Bridges and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0) (31-0)

S. B. No. 877 (Hightower)—

Senator Hightower offered the following amendment to the bill:

Amend Sections 1, 2 and 3, of S. B. 877, by substituting the following in lieu of said Sections 1, 2 and 3, respectively:

Section 1. Any person who is 65 year of age or older and who owns and occupies a homestead, as defined in Art. 16, Sec. 51 of the Texas Constitution, against which any taxing unit has filed any suit to collect delinquent ad valorem taxes may, in addition to any other pleading, file an affidavit that such person owns and occupies such property as his or her homestead and that the affiant has already passed his or her sixty-fifth (65th) birthday. If the taxing unit does not file a controverting affidavit, or if upon hearing such controverting affidavits it shall be found that the affiant owns and occupies such property as homestead and has already passed his or her sixty-fifth (65th) birthday, no further action shall be taken in said cause until said homestead is no longer owned and occupied by such affiant who has passed such sixty-fifth (65th) birthday.

Section 2. This act shall not extinguish or release the delinquent taxes, penalties, interest or costs against such homestead property, and in any suit upon which action is deferred pursuant to this act no plea of limitation, laches, or want of prosecution shall apply against the taxing unit.

Section 3. Penalty and interest shall continue to accrue during the period of deferment prescribed in this act and delinquent taxes, penalties, interest, and costs shall at all times re-

main a first and paramount lien upon the land and all mutations thereof until paid, to the end that no taxing unit shall lose its taxes, penalty, interest, and costs upon such homestead property because of deferment of action pursuant to this act.

The amendment was read and was adopted.

On motion of Senator Hightower and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (30-1) Creighton "Nay" (30-1) Creighton "Nay"

S. B. No. 886 (Christie)—

Senator Christie offered the following amendment to the bill:

Amend S. B. 886 by striking the caption, substituting in lieu thereof the following:

"An Act amending Section 2, of the Special Laws of the 46th Legislature, 1939, page 531 (Article 7466e-1, Vernon's Civil Statutes of Texas; also known as Section 41.004 of the Texas Water Code), so as to change the term of office of the Rio Grande Compact Commissioner from two (2) years to six (6) years; providing for his duties and expenses; and declaring an emergency."

The amendment was read and was adopted.

Senator Christie offered the following amendment to the bill:

Amend Section 1 of S. B. 886 by striking the introductory language, substituting in lieu thereof the following:

"Section 1. That Section 2, of the Special Laws of the 46th Legislature, 1939, page 531 (Article 7466e-1, Vernon's Civil Statutes of Texas; also known as Section 41.004 of the Texas Water Code) be amended so as to read as follows:"

The amendment was read and was adopted.

On motion of Senator Christie and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0) (31-0)

S. B. No. 911 (Christie)—

Senator Christie offered the following Committee Amendment to the bill:

Amend Senate Bill No. 911 by striking the quoted Subsection (a) of the quoted Section 3c in Section 2 of the bill and substituting the following:

(a) The revenue derived from any occupancy tax authorized or validated by this Act may only be used for:

(1) the acquisition of sites for and the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of convention center facilities including, but not limited to, civic center convention buildings, auditoriums, coliseums, and parking areas or facilities for the parking or storage of motor vehicles or other conveyances located at or in the immediate vicinity of the convention center facilities;

(2) the employment of personnel to assist in the registration of guests at the convention center facility;

(3) the purchase of registration equipment and supplies such as typewriters, badges, badge holders, registration forms, tourist and entertainment brochures; or

(4) the operation of information booths staffed by qualified personnel to assist out of town guests in locating places of interest in the city.

The amendment was read and was adopted.

Senator Christie offered the following Committee Amendment to the bill:

Amend Section 3b by striking Section 3b and substituting in lieu thereof the following:

Section 3. "(b)" Any city which levies and collects an occupancy tax which is authorized or validated by this Act may pledge a portion of the revenue derived therefrom to the payment of the bonds which the city may issue pursuant to the provisions of Section 3 of this Act, if such bonds are issued solely for one or more of the purposes set forth in the preceding subsection; provided that any city which levies and collects such tax shall reserve a portion of the tax revenue equal to at least one-half of one percent of the cost of occupancy for the purpose of advertising and conducting a solicitation program to acquaint potential users with public meeting and convention facilities, either by the city or through contract with persons or organizations select-

ed by the city; but any such cities may reserve all of the tax revenue from the cost of the occupancy of hotel rooms for the purpose of advertising and conducting solicitation programs to acquaint potential users with public meeting and convention facilities, either by the city or through contract with persons or organizations selected by the city.

The Committee Amendment was read and was adopted.

Senator Christie offered the following amendment to the bill:

Amend Senate Bill No. 911 by adding a Subsection (c) to the quoted Section 3c in Section 2 of the bill to read as follows:

(c) A city operating convention center facilities with revenue derived from an occupancy tax authorized or validated by this Act shall provide the full range of services for which expenditures are authorized by Subsection (a) of this Section.

The amendment was read and was adopted.

On motion of Senator Christie and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0) (31-0)

S. B. No. 989 (Wallace)---

Senator Wallace offered the following amendment to the bill:

Amend S. B. No. 989 by renumbering Section 5 to be Section 6, inserting a new Section 5 to read as follows:

"Sec. 5. Section 35, Texas Motor Vehicle Safety-Responsibility Act, as amended (Article 6701h, Vernon's Texas Civil Statutes), is amended to read as follows:

'Sec. 35. Subject to the provisions of Article 5.10, Texas Insurance Code of 1951, as amended, insurance companies authorized to issue motor vehicle liability policies in this state may establish an administrative agency and make necessary reasonable rules in connection therewith, relative to the formation of a plan and procedure to provide a means by which insurance may be assigned to an authorized insurance company for a person required by this Act to show proof of financial responsibility for the future and who is in good faith

entitled to motor vehicle liability insurance in this State but is unable to secure it through ordinary methods; or, in amounts not to exceed the limits prescribed in Section 21(b)2 of this law, for any unit of government within the State of Texas which, acting in good faith, is unable to secure motor vehicle liability insurance in this state through ordinary methods; and may establish a plan and procedure for the equitable apportionment among such authorized companies of applicants for such policies and for motor vehicle liability policies, including, but not limited to, voluntary agreements by insurance companies to accept such assignments. When any such plan has been approved by the State Board of Insurance, all insurance companies authorized to issue motor vehicle liability policies in the State of Texas shall subscribe thereto and participate therein; provided, however, neither the provisions of this Act nor the plan authorized by this Section shall be interpreted to require any subscribing insurance company to issue through such assigned risk plan a motor vehicle liability policy containing a deductible feature or a provision for excess of loss.

"The State Board of Insurance, in addition to the provisions prescribed by Subchapter A, Chapter 5, Texas Insurance Code of 1951, as amended, may determine, fix, prescribe, promulgate, change, and amend rates or minimum premiums normally applicable to a risk so as to apply to any and every assignment such rates and minimum premiums as are commensurate with the greater hazard of the risk, considering in connection therewith the experience, physical or other conditions of such risk of the person or municipality applying for insurance under any such plan."

WALLACE
WORD

The amendment was read and was adopted.

On motion of Senator Wallace and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (29-2) Grover and Creighton "Nay" (29-2) Grover and Creighton "Nay"

H. B. No. 372 (Connally)—

Senator Connally offered the following Committee Amendment to the bill:

Amend H. B. No. 372 by placing a comma after the word adoption on line 36, and inserting the following: "and notification to the respective counties."

The Committee Amendment was read and was adopted.

Senator Connally offered the following amendment to the bill:

Amend Section 1 of H. B. No. 372 by deleting all of the subsection (b) enclosed in quotes and substituting in lieu thereof the following:

"b. In Bandera, Coke, Crockett, Dimmit, Edwards, Frio, Hays, Kerr, Kimble, Kinney, Lampasas, Medina, Menard, Reagan, Real, San Saba, Schleicher, Sutton, Uvalde, Val Verde, and Zavala Counties, and in Lamb County with regard to quail season only, orders, rules and regulations adopted in accordance with Section 8 of this Act shall not be effective as provided in Section 9 unless and until they have been approved by the Commissioners Court of each of such counties. The Commissioners Court in each county named in this subsection shall approve or disapprove the Commission's rule, regulation or order or part of order, at its next regular meeting occurring more than five (5) days after adoption by the Commission and notification of the Counties cited herein. If approved, the rule, regulation or order becomes effective at the time specified in the proclamation by the Commission. If disapproved, for any of the above named counties, no public hearing on a similar proposal for the county may be held for a period of six (6) months unless a majority of said Commissioners Court certifies to the Commission that there has been some material change in the surrounding circumstances which necessitates the holding of a public hearing within the six month period. If the Commissioners Court disapproves the rules, regulations or orders, or parts of orders, promulgated by the Commission, then the taking of the wildlife resources of the county is regulated by rules of prior year until such time as the Commissioners Court approves rules,

regulations, or orders subsequently promulgated by the Commission."

The amendment was read and was adopted.

On motion of Senator Connally and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0) (31-0)

H. B. No. 927 (Bridges)—

Senator Bridges offered the following amendment to the bill:

Amend Section 1 of H. B. 927 by inserting a new sentence between the first and second sentences in Section 1, as amended, to read as follows:

"Provided however, that there shall be no authority to issue such revenue bonds on behalf of a hospital district for the purchase of nursing homes for long term care."

The amendment was read and was adopted.

On motion of Senator Bridges and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0) (31-0)

H. B. No. 1003 (Bridges)—

Senator Bridges offered the following amendment to the bill:

Amend H. B. 1003 by deleting therefrom all of Section 2 and substituting in lieu thereof the following:

Section 2. The supplemental salary to be paid the District Attorney of the 105th Judicial District shall be the sum of not less than three thousand dollars (\$3,000.00) but not more than six thousand dollars (\$6,000.00), to be paid by the Commissioners Courts of the counties comprising the 105th Judicial District, which sum shall be paid to the District Attorney in addition to all compensation which he is authorized to receive by law from the State of Texas.

The amendment was read and was adopted.

On motion of Senator Bridges and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0) (31-0)

Conclusion of Session for Consideration of Local and Uncontested Bills Calendar

The Presiding Officer (Senator Hall in Chair) announced that the session for the consideration of the Local and Uncontested Bills Calendar was concluded.

Reports of Standing Committees

By unanimous consent, Senator Watson submitted the following report for the Committee on Environment:

H. C. R. No. 61.

(President Pro Tempore in Chair.)

By unanimous consent, Senator Mauzy submitted the following reports for the Committee on Education:

S. B. No. 724.

H. B. No. 1198.

H. B. No. 1296.

S. B. No. 993.

S. B. No. 990 (amended).

H. B. No. 519.

H. B. No. 743.

C. S. S. B. No. 436 (Read first time).

C. S. S. B. No. 435 (Read first time).

By unanimous consent, Senator Hall submitted the following report for the Committee on County, District and Urban Affairs:

H. B. No. 844 (Floor report). (amended).

By unanimous consent, Senator Blanchard submitted the following reports for the Committee on Insurance:

H. B. No. 683.

S. B. No. 741.

S. B. No. 754.

S. B. No. 440.

H. B. No. 1289.

H. B. No. 796.

S. B. No. 761.

S. B. No. 1005.

Senator Word submitted the following report for the Committee on Military and Veterans Affairs:

H. B. No. 280.

Senate Bills on First Reading

Senator Herring moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit the introduction at this time, the following bills, the provisions of which were explained.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The following bills were then introduced, read first time and referred to the Committee indicated:

By Senator Herring:

S. B. No. 1009, A bill to be entitled "An Act authorizing the Texas Department of Agriculture to receive and hold for processing export-import livestock or other animals; authorizing the establishment and collection of yardage, feed and maintenance fees in connection with processing; and declaring an emergency."

To the Committee on State Departments and Institutions.

By Senator Bernal:

S. B. No. 1010, A bill to be entitled "An Act relating to registration of certain persons who recruit, solicit, hire, furnish, or transport certain agricultural workers for agricultural employment; providing a penalty; and declaring an emergency."

To Committee on Transportation.

Senate Bill 432 with House Amendment

Senator Blanchard called S. B. No. 432 from the President's table for consideration of the House amendment to the bill.

The President Pro Tempore laid the bill and the following House amendment before the Senate:

Amendment No. 1

Amend Senate Bill 432, Second Printing, Page 3 on Line 18 by striking the word "may" and substituting in lieu thereof the word "shall."

The amendment was read.

Senator Blanchard moved that the Senate concur in the House amendment.

The motion prevailed.

Record of Vote

Senator Creighton asked to be recorded as voting "Nay" on the motion to concur in the House amendment.

House Bill 844 Ordered Not Printed

On motion of Senator Herring and by unanimous consent H. B. No. 844 was ordered not printed.

Senate Bill 269 with House Amendment

Senator Herring called S. B. No. 269 from the President's table for consideration of the House amendment to the bill.

The President Pro Tempore laid the bill and the following House amendment before the Senate:

Committee Amendment No. 1

Amend S. B. No. 269 by adding the following language after the first sentence of the first full paragraph on page 10 of the original bill:

"When bonds are to be issued to finance in whole or in part water-using facilities, before giving his approval the Attorney General shall be furnished a resolution from the Texas Water Rights Commission certifying that the Authority is possessed of the necessary water right authorizing it to impound or otherwise appropriate the waters to be utilized by the project."

The House amendment was read.

Senator Herring moved that the Senate do not concur in the House amendment, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

The President Pro Tempore asked if there were any motions to instruct the Conference Committee on S. B. No. 269 before appointment.

There were no motions offered.

Accordingly, the President Pro Tempore announced the appointment by the President of the following conferees on the part of the Senate on the bill: Senators Herring, Word, Creighton, Moore and Jordan.

(President in Chair.)

Minority Report on S. B. No. 655

Senator Bridges submitted the following Minority Committee Report on S. B. No. 655:

We, the following members of the Parks and Wildlife Committee, do hereby give notice under Senate Rule 104 of a favorable minority report for Senate Bill 655 and within the required ten days a motion will be made to substitute this minority report for the majority report. We were present at the committee hearing and voted on the minority side.

CONNALLY
BRIDGES
RATLIFF

Senate Resolution 1216

Senator Watson offered the following resolution:

S. R. No. 1216, Authorizing the Senate Standing Committee on Environment to meet and hold hearings during the interim on the call of the Chairman.

The resolution was read and was referred to the Committee on Administration.

Senate Resolution 1217

Senator Watson offered the following resolution:

S. R. No. 1217, Providing for the creation of a Senate Interim Com-

mittee to study the Use and Abuse of Drugs.

The resolution was read and was referred to the Committee on Administration.

(Senator Snelson in Chair.)

Senate Bill 1010 Re-Referred

On motion of Senator Bernal, and by unanimous consent, S. B. No. 1010 was withdrawn from the Committee on Transportation and re-referred to the Committee on Labor and Management Relations.

Report of Standing Committee

By unanimous consent, Senator Bates submitted the following report for the Committee on Transportation:

H. C. R. No. 47 (Floor report).

(President in Chair.)

House Bill 681 on Second Reading

Senator Bates asked unanimous consent to suspend the regular order of business and take up H. B. No. 681 for consideration at this time.

There was objection.

Senator Bates then moved to suspend the regular order of business and take up H. B. No. 681 for consideration at this time.

The motion prevailed by the following vote:

Yeas—21

Aikin	Harrington
Bates	Herring
Beckworth	Jordan
Bernal	Kennard
Blanchard	Kothmann
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Schwartz
Creighton	Watson
Grover	

Nays—10

Hall	Sherman
Harris	Snelson
Hightower	Wallace
Mauzy	Wilson
Ratliff	Word

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 681, A bill to be entitled "An Act amending Article II of the Texas Liquor Control Act, Acts 1935, 44th Legislature, 2nd Called Session, as amended (Article 667, Vernon's Texas Penal Code), by adding a new Section 23-A-1; providing for severability; and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Votes

Senators Hightower, Creighton, Snelson, Word, Wallace, Hall, Mauzy, Beckworth, Wilson, Ratliff, Harris, Sherman, Moore and Aikin asked to be recorded as voting "Nay" on the passage of the bill to third reading.

House Bill 821 Re-Referred

On motion of Senator Wallace and by unanimous consent, H. B. No. 821 was withdrawn from the Committee on Jurisprudence and re-referred to the Committee on State Departments and Institutions.

House Bill 764 Re-Referred

On motion of Senator Wallace and by unanimous consent, H. B. No. 764 was withdrawn from the Committee on Jurisprudence and re-referred to the Committee on State Departments and Institutions.

Bills and Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

H. B. No. 1636.

H. B. No. 53.

H. B. No. 369.

H. B. No. 481.

H. B. No. 480.

H. B. No. 479.

H. B. No. 168.

H. B. No. 292.

H. B. No. 260.

H. B. No. 1786.

H. B. No. 889.

H. B. No. 468.

H. B. No. 976.

H. C. R. No. 137.

H. C. R. No. 142.

H. J. R. No. 31.

Reports of Standing Committees

By unanimous consent, Senator Hall submitted the following reports for the Committee on County, District and Urban Affairs:

H. B. No. 253 (Floor report).

H. B. No. 516 (Floor report).

H. B. No. 592 (Floor report) (Amended).

H. B. No. 1353 (Floor report).

H. B. No. 1618 (Floor report).

H. B. No. 1656 (Floor report).

H. B. No. 1608

By unanimous consent, Senator Brooks submitted the following report for the Committee on State Departments and Institutions:

S. B. No. 1009 (Floor report).

Motion in Writing

Senator Watson offered the following Motion in Writing:

Mr. President:

I move to suspend Section 5, Article 3 of the Constitution, and Senate Rule 107 in order to introduce a Senate Bill. I also move that this Bill be numbered Senate Bill 1006 and that the subject matter of Senate Bill 1006 introduced by me on May 12 be expunged from the record.

WATSON

The Motion in Writing was adopted by the following vote:

Yeas—31

Aikin	Harris
Bates	Herring
Beckworth	Hightower
Bernal	Jordan
Blanchard	Kennard
Bridges	Kothmann
Brooks	Mauzy
Christie	McKool
Connally	Moore
Creighton	Patman
Grover	Ratliff
Hall	Schwartz
Harrington	Sherman

Snelson
Wallace
Watson

Wilson
Word

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Watson:

S. B. No. 1006, A bill to be entitled "An Act relating to and regulating relationships, direct and indirect, of officers, directors and certain shareholders of insurance companies; amending Chapter I of the Insurance Code of Texas by adding Article 1.29; making provision as respects conflicts and ambiguities; containing a severance clause; and declaring an emergency."

To Committee on Insurance.

Senate Bill 1011 on First Reading

The following local bill was introduced, read first time and referred to the Committee indicated:

By Senator Hall:

S. B. No. 1011, A bill to be entitled "An Act defining the term 'impacted property' as certain described real property in Grayson County located adjacent to or near the western end of Eisenhower State Park, the term 'owner' as the owner or lessee of impacted property, the term 'guest' as the guest or employee of an owner, and the term 'Department' as the State Parks and Wildlife Department; stating the purpose of the Act to be the relief of the owners of the said property who have been deprived of reasonable ingress to and egress from said property in traveling between that property and points east of said Park, including the City of Denison, through the closing of the western entrance and roads of the Park to said owners and the charging of fees at the eastern entrance into the Park by the State Parks and Wildlife Department although these owners and their predecessors in title had been using that route for over twenty-five years, had no other feasible route for traveling to and from points east of said Park from and to this property, and sought only to use said roads for this purpose; declaring that it is not feasible to charge fees to Eisenhower State Park to these owners and their family members and guests when entering said Park and using its roads solely for the purpose of obtaining

reasonable ingress to and egress from said impacted property in traveling between it and points east of the Park and reestablishing the right of these persons to enter said Park both from the west and east and to use its roads for this purpose without the payment of any fees for this use; directing said Department to implement and facilitate fully and reasonably the right of owners of impacted property and of their family members and guests reestablished by this Act, including admission of these persons to park roads at the points they were able to enter until November 1, 1968 or at other reasonably located points as the Department by regulation may direct and authorizing the Department to issue permits to these persons for identification purposes only; and declaring an emergency."

To Committee on County, District and Urban Affairs.

Recess

On motion of Senator Aikin the Senate at 12:10 o'clock p.m. took recess until 3:00 o'clock p.m. today.

After Recess

The President Pro Tempore called the Senate to order at 3:00 o'clock p.m. today.

House Bill 483 on Second Reading

On motion of Senator Jordan and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 483, A bill to be entitled "An Act relating to the creation, administration, powers and duties, and funding of The Texas Council on Marine-Related Affairs, an advisory body concerned with marine affairs; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 483 on Third Reading

Senator Jordan moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 483 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time.

Senator Schwartz offered the following amendment to the bill:

Amend H. B. No. 483, Sec. 5, by substituting the following:

Sec. 5. Funding. Until the Legislature provides an appropriation for the operation of the Council, the Contingent Expense Funds of the House of Representatives and of the Senate may be expended for such purposes authorized herein. Prior to any expenditure of funds of the Contingent Expenses Committees of either the House or the Senate as budgeted for the annual expenses of the committee shall be submitted to such committees and no funding shall be expended from such funds until approved by that committee.

SCHWARTZ
HIGHTOWER

The amendment was read and was adopted by the following vote:

Yeas—31

Aikin	Grover
Bates	Hall
Beckworth	Harrington
Bernal	Harris
Blanchard	Herring
Bridges	Hightower
Brooks	Jordan
Christie	Kennard
Connally	Kothmann
Creighton	Mauzy

McKool	Snelson
Moore	Wallace
Patman	Watson
Ratliff	Wilson
Schwartz	Word
Sherman	

On motion of Senator Jordan and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was finally passed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

House Bill 844 Ordered Not Printed

On motion of Senator Herring and by unanimous consent, H. B. No. 844 was ordered not printed.

House Bill 844 on Second Reading

On motion of Senator Herring and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 844, A bill to be entitled "An Act relating to the office of ex officio county school superintendent in certain counties; and declaring an emergency."

The bill was read second time.

Senator Herring offered the following Committee Amendment to the bill:

Amend H. B. 844 by striking all below the enacting clause and substituting in lieu thereof the following:

Section 1. In any county having a population of not less than 27,500 nor

more than 27,660, according to the last preceding federal census, in which the abolition of the offices of county school superintendent and the county board of school trustees has been approved by the voters, the duties of the offices shall be performed by the county judge as ex officio county superintendent. For the performance of the additional duties, the county judge is entitled to compensation not to exceed \$2,600 per year and office and travel expenses not to exceed \$1,050 per year, as determined by the commissioners court. The commissioners court may also appoint an assistant ex officio county superintendent at a salary not to exceed \$2,600 per year. The additional compensation and expenses shall be paid from the state available school fund.

Sec. 2. As used in this Act, "the last preceding Federal Census" means the 1970 census or any future decennial federal census. This is despite any legislation that has been or may be enacted during any session of the 62nd Legislature delaying the effectiveness of the 1970 census for general state and local governmental purposes.

Sec. 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Committee Amendment was read and was adopted.

On motion of Senator Herring, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 844 on Third Reading

Senator Herring moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 844 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

House Bill 1205 on Second Reading

On motion of Senator Snelson and by unanimous consent, the regular order of business was suspended, to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1205, A bill to be entitled "An Act relating to the sale of certain fish in Edwards County; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 1205 on Third Reading

Senator Snelson moved that the Constitutional Rule and Senate Rule

30 requiring bills to be read on three several days be suspended and that H. B. No. 1205 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

House Bill 1638 on Second Reading

On motion of Senator Snelson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1638, A bill to be entitled "An Act relating to the compensation of the judge of the district court in the 143rd Judicial District; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 1638 on Third Reading

Senator Snelson moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 1638 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

House Bill 625 on Second Reading

On motion of Senator Patman and by unanimous consent, the regular order of business was suspended to

take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 625, A bill to be entitled "An Act abolishing the office of county superintendent in certain counties and transferring the duties to the county judge; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 625 on Third Reading

Senator Patman moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 625 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Harris
Bates	Herring
Beckworth	Hightower
Bernal	Jordan
Blanchard	Kennard
Bridges	Kothmann
Brooks	Mauzy
Christie	McKool
Connally	Moore
Creighton	Patman
Grover	Ratliff
Hall	Schwartz
Harrington	Sherman

Snelson	Wilson
Wallace	Word
Watson	

House Bill 1163 Re-Referred

On motion of Senator Watson, and by unanimous consent, H. B. No. 1163 was withdrawn from the Committee on Jurisprudence and re-referred to the Committee on County, District and Urban Affairs.

Conference Committee Report on Senate Bill 329

Senator Bridges submitted the following Conference Committee Report:

Austin, Texas,
May 12, 1971.

Hon. Ben Barnes, President of the Senate.

Hon. Gus Mutscher, Speaker of the House of Representatives.

Sir: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on Senate Bill 329 have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

BRIDGES
WALLACE
BROOKS
KOTHMANN
WILSON

On the part of the Senate.

HALE
MURRAY
SALEM
OGG
PARKER
of Jefferson

On the part of the House.

S. B. No. 329:

"A BILL TO BE ENTITLED

An Act amending Section 60.118 of the Water Code, to provide that any navigation district which heretofore or hereafter shall have constructed, purchased or otherwise acquired, or shall plan to construct, purchase or otherwise acquire, any facility by the use of revenue obligations issued pursuant to the provisions of Chapter 111, Acts 1933, 43rd Legislature, First Called Session, as amended, may place the

management of said facility in a Board of Trustees during the time such obligations or refunding obligations are secured by pledge of revenues; validating resolutions and indentures heretofore adopted creating such Boards or making provisions therefor; and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Section 60.118, Water Code, is amended to read as follows:

"Section 60.118. BOARD OF TRUSTEES OF FACILITY. (a) A district which constructs, purchases, or otherwise acquires or plans to construct, purchase, or otherwise acquire any facility authorized in Section 60.101 of this code to be paid for in whole or in part by the issuance and sale of obligations payable from and secured by a pledge of revenue authorized in this subchapter may vest management and control of the facility during the time the obligations or refunding obligations are secured in whole or in part by the pledge of revenue, in a board of trustees named in the resolution or indenture.

"(b) The Board of Trustees shall consist of not less than five nor more than nine members, and shall be entitled to receive the compensation fixed by the resolution or indenture, which shall not be more than one percent of the gross receipts of the facility in any one year.

"(c) The commission shall specify in the resolution or indenture:

"(1) the terms of office of the members of the board of trustees;

"(2) the powers and duties of the board, including the power to fix fees and charges for the use of the facility;

"(3) the manner of exercising the powers and duties;

"(4) the manner of selecting the successors of the board of trustees; and

"(5) all matters relating to board members' duties and the organizing of the board.

"(d) The board of trustees may adopt bylaws regulating the procedure of the board and fixing the duties of its officers, but the bylaws may not contain any provision in conflict with the covenants and provisions con-

tained in the resolution authorizing the bonds or in the indenture.

"(e) In all matters relating to powers, duties, obligations, and procedure of the board of trustees which are not covered in the bylaws and the resolution or indenture, the laws and rules governing the commission shall control, where applicable.

"(f) When the board is created by the resolution or indenture, it shall have all of the power and authority for the management and operation of any facility which could be exercised by the commission.

"(g) By the terms of the resolution or indenture, the commission may make provision for later supplementation of the resolution or indenture to vest the management and control of the facility in a board of trustees having the powers, rights, and duties conferred or imposed by this section."

Sec. 2. The provisions of any resolution or indenture adopted or executed by any district before the effective date of this Act providing for the creation of the board of trustees at the time this Act becomes effective are hereby validated, confirmed, and ratified.

Sec. 3. If any provision of this Act or the application thereof to any person or circumstance shall be held to be invalid or unconstitutional, the remainder of the Act, and the application of such provision to other persons or circumstances shall not be affected thereby.

Sec. 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report was read and was adopted by the following vote:

Yeas—31

Aikin	Brooks
Bates	Christie
Beckworth	Connally
Bernal	Creighton
Blanchard	Grover
Bridges	Hall

Harrington	Patman
Harris	Ratliff
Herring	Schwartz
Hightower	Sherman
Jordan	Snelson
Kennard	Wallace
Kothmann	Watson
Mauzy	Wilson
McKool	Word
Moore	

House Bill 614 on Second Reading

On motion of Senator Wallace and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 614, A bill to be entitled "An Act exempting totally disabled veterans from certain drivers' license fees; etc.; and declaring an emergency."

The bill was read second time.

Senator Wallace offered the following Committee Amendment to the bill:

Amend Section 19a by deleting the words "Highway Department" and substituting the words "Department of Public Safety" in lieu thereof.

The Committee Amendment was read and was adopted.

On motion of Senator Wallace and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 614 on Third Reading

Senator Wallace moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 614 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Bridges
Bates	Brooks
Beckworth	Christie
Bernal	Connally
Blanchard	Creighton

Grover	Moore
Hall	Patman
Harrington	Ratliff
Harris	Schwartz
Herring	Sherman
Hightower	Snelson
Jordan	Wallace
Kennard	Watson
Kothmann	Wilson
Mauzy	Word
McKool	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 615 on Second Reading

On motion of Senator Wallace and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 615, A bill to be entitled "An Act exempting totally disabled veterans from certain motor vehicle registration fees; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 615 on Third Reading

Senator Wallace moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 615 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 13, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 315, A bill to be entitled "An Act relating to salaries of investigators, assistants, and stenographers of the District Attorney of the 30th Judicial District; etc.; and declaring an emergency."

S. B. No. 550, A bill to be entitled "An Act relating to and authorizing a minimum and maximum salary for the official shorthand reporters of the 37th, 45th, 57th, 73rd, 131st, 144th, 150th, 166th, 175th, 186th, and 187th Judicial Districts, County Courts at Law Nos. 1, 2, and 3 of Bexar County, and County Civil Court at Law of Bexar County; providing the time, method, and manner of payment; repealing all laws in conflict; providing a saving clause; and declaring an emergency."

(With Amendments.)

S. B. No. 817, A bill to be entitled "An Act providing for the minimum salary of the Judge of County Court No. 1 of Galveston County and Coun-

ty Court No. 2 of Galveston County; etc.; and declaring an emergency."

(With Amendments.)

S. B. No. 522, A bill to be entitled "An Act transferring funds previously appropriated to the Board of Pardons and Paroles from one appropriation item to another; and declaring an emergency."

S. B. No. 379, A bill to be entitled "An Act relating to the compensation of certain county officials in counties having a population of one million (1,000,000) or more; etc.; and declaring an emergency."

(With Amendments.)

S. B. No. 916, A bill to be entitled "An Act relating to establishing and maintaining of a county law library in certain counties; and declaring an emergency."

(With Amendments.)

S. B. No. 819, A bill to be entitled "An Act amending Statutes, so as to provide higher compensation for county judges of certain counties; and declaring an emergency."

(With Amendments.)

S. B. No. 154, A bill to be entitled "An Act relating to credit for prior service in the legislature by a member of a county and district retirement system; etc.; and declaring an emergency."

S. B. No. 755, A bill to be entitled "An Act relating to official shorthand reporters of the District Courts of Travis County, Texas; and declaring an emergency."

(With Amendments.)

S. B. No. 738, A bill to be entitled "An Act repealing Subsection (d), Section 16.57, Chapter 16, Texas Education Code, removing the requirement that no child living within the city limits of a city having a public transportation system may be eligible for transportation to school at state expense unless he resides more than two miles from the transportation service, measured by the nearest practical route; and declaring an emergency."

(With Amendments.)

S. B. No. 733, A bill to be entitled "An Act amending Article 5459, Revised Civil Statutes of Texas of 1925,

to add a new section defining what constitutes the time of the inception of the lien; and declaring an emergency."

S. B. No. 680, A bill to be entitled "An Act relating to the date of election of navigation and canal commissioners; relating to the fees of office of navigation and canal commissioners; etc.; and declaring an emergency."

S. B. No. 593, A bill to be entitled "An Act requiring political parties with statewide organization to adopt and file rules for the conduct of party affairs; etc.; and declaring an emergency."

(With Amendments.)

S. B. No. 593, A bill to be entitled "An Act amending Article 3887a-1, revised civil statutes of Texas, relating to county attorneys in counties of 60,000 to 64,000; compensation; private practice and declaring an emergency."

(With Amendments.)

S. B. No. 360, A bill to be entitled "An Act limiting the amount of group life insurance which may be issued to a creditor to insure agricultural or horticultural debtors with seasonal income; etc.; and declaring an emergency."

(With Amendments.)

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 269.

Conferees: Cavness, Chairman, Allen of Gregg, Murray, Clayton, Foreman.

All necessary rules suspended, and the House concurred in Senate amendments to House Bill No. 1440 by a vote of 141 Ayes, 0 Noes.

H. C. R. 143, Authorizing the Senate to return House Bill No. 272 to the House.

H. C. R. 144, Making certain corrections in House Bill No. 989.

All necessary rules suspended, and the Conference Committee report on Senate Bill No. 329 adopted by a vote of 137 Ayes, 5 Noes.

S. B. No. 815, A bill to be entitled "An Act relating to the authority of the commissioners court of any county to pay the travel expenses of certain persons performing county business; and declaring an emergency."

S. B. No. 859, A bill to be entitled "An Act relating to the creation, administration, powers, duties, and financing of Willacy County Hospital District of Willacy County, Texas, etc.; and declaring an emergency."

(With Amendment.)

S. B. No. 751, A bill to be entitled "An Act amending the employers' liability and workmen's compensation laws of this state; etc., and declaring an emergency."

(With Amendments.)

S. B. No. 602, A bill to be entitled "An Act relating to registration, fees, reports, rules, and regulations pertaining to economic pesticides; etc., and declaring an emergency."

(With Amendments.)

S. B. No. 460, A bill to be entitled "An Act concerning the issuance of permits and taxation of suppliers, dealers, and users of liquefied gas and liquefied gas carburetor dealers; etc.; and declaring an emergency."

(With Amendments.)

S. B. No. 369, A bill to be entitled "An Act requiring the use of the jury wheel in all counties and providing the source of names to be used for jury wheels; etc.; and declaring an emergency."

(With Amendments.)

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Reports of Standing Committees

By unanimous consent, Senator Hall submitted the following reports for the Committee on County, District and Urban Affairs.

H. B. No. 1687.

H. B. No. 1163.

By unanimous consent, Senator Blanchard submitted the following report for the Committee on Insurance:

H. B. No. 1714.

By unanimous consent, Senator Creighton submitted the following report for the Committee on Water and Conservation:

H. B. No. 1724.

House Bill 1714 Ordered Not Printed

On motion of Senator Beckworth and by unanimous consent H. B. No. 1714 was ordered not printed.

House Bill 616 on Second Reading

On motion of Senator Wallace and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 616, A bill to be entitled "An Act relating to the employment preference given certain veterans; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 616 on Third Reading

Senator Wallace moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 616 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Concurrent Resolution 144 on Second Reading

The President Pro Tempore laid before the Senate the following resolution:

H. C. R. No. 144—Authorizing certain corrections in H. B. No. 989.

The resolution was read.

On motion of Senator Word and by unanimous consent, the resolution was considered immediately and was adopted.

House Concurrent Resolution 143 on Second Reading

The President Pro Tempore laid before the Senate the following resolution:

H. C. R. No. 143—Authorizing the return of H. B. No. 272 to the House of Representatives.

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the resolution was considered immediately and was adopted.

House Bill 389 on Second Reading

On motion of Senator Word and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 389, A bill to be entitled "An Act amending certain provisions of the Texas Business Corporation Act; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 389 on Third Reading

Senator Word moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 389 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Bernal
Bates	Blanchard
Beckworth	Bridges

Brooks	Mauzy
Christie	McKool
Connally	Moore
Creighton	Patman
Grover	Ratliff
Hall	Schwartz
Harrington	Sherman
Harris	Snelson
Herring	Wallace
Hightower	Watson
Jordan	Wilson
Kennard	Word
Kothmann	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

House Bill 1424 on Second Reading

On motion of Senator Word and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1424, A bill to be entitled "An Act amending the subject matter of the Texas Unemployment Compensation Act, etc., and declaring an emergency."

The bill was read second time.

Senator Mauzy offered the following amendment to the bill:

Amend Section 1 of H. B. 1424 to read as follows:

"Section 1. Subsection (b), Section 3, Texas Unemployment Compensation Act, as amended (Article 5221b-1, Vernon's Texas Civil Statutes), is amended to read as follows:

'(b) Benefit amount for total unemployment: Each eligible individual who is totally unemployed in any benefit period shall be paid with respect to such benefit period, benefits at the rate of one twenty-fifth (1/25) of his wages received from employment by employers during that quarter of his base period in which wages were highest, provided that:

(1) If such rate is not an even multiple of one dollar (\$1), it shall be adjusted to the next higher multiple of one dollar (\$1); and

(2) such rate shall not be less than fifteen dollars (\$15) per benefit period nor more than a dollar amount equal to sixty-six and two thirds percent (66 2/3%) of the statewide average weekly wage paid in employment by employers for the immediately preceding fiscal year ending August 31 as determined from time to time by the Commission in the manner hereinafter prescribed, effective January 1, 1972, such rate shall not be more than a dollar amount equal to sixty percent (60%) of the statewide average weekly wage paid in employment by employers for the fiscal year ending August 31, 1971.

On the first day of September of each year the Commission shall determine the average weekly wage of the immediately preceding fiscal year in the following manner:

(1) The sum of total monthly employment reported for the fiscal year shall be divided by twelve to determine the average monthly employment;

(2) the sum of the total wages reported for the previous fiscal year shall be divided by the average monthly employment to determine the average annual wage;

(3) the annual average wage shall be divided by fifty-two (52) to determine the average weekly wage.

The amendment was read.

Senator Word moved to table the amendment.

The motion to table was lost by the following vote:

Yeas—14

Aikin	Harris
Blanchard	Hightower
Connally	Moore
Creighton	Patman
Grover	Ratliff

Sherman	Watson
Snelson	Word

Nays—17

Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Bridges	Mauzy
Brooks	McKool
Christie	Schwartz
Hall	Wallace
Harrington	Wilson
Herring	

Question recurring on the adoption of the amendment, the amendment was adopted.

Record of Votes

Senators Aikin, Blanchard, Connally, Creighton, Grover, Harris, Hightower, Moore, Patman, Ratliff, Sherman, Snelson, Watson and Word asked to be recorded as voting "Nay" on the adoption of the above amendment.

Question on the passage of the bill to third reading, "Yeas" and "Nays" were demanded.

The bill was passed to third reading by the following vote:

Yeas—17

Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Bridges	Mauzy
Brooks	McKool
Christie	Schwartz
Hall	Wallace
Harrington	Wilson
Hightower	

Nays—14

Aikin	Moore
Blanchard	Patman
Connally	Ratliff
Creighton	Sherman
Grover	Snelson
Harris	Watson
Herring	Word

Senate Resolution 1211

Senator Bates offered the following resolution:

Whereas, John Ben Blanchard, son of Senator and Mrs. H. J. "Doc" Blanchard of Lubbock, Texas, is the recipient of two honors at Mackenzie Junior High School of that city, the Leadership Award which came as a result of an election of all the ninth grade students of his school; and

"Teenager of the Month" an award given to one student from each Junior High School in Lubbock who is selected by civic clubs for outstanding achievements and contributions to his school and community; and

Whereas, These awards are indicative of John Ben's scholarship, leadership and citizenship abilities, now, therefore, be it

Resolved by the Senate of Texas that it extend congratulations to John Ben Blanchard in recognition of his achievement of the honor of being selected as a "Teenager of the Month" and the Leadership Award and the outstanding qualities of leadership he has exhibited; and be it further

Resolved that a copy of this Resolution be prepared for him under the Seal of the Senate.

The resolution was read and was adopted.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
May 13, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 1858, A bill to be entitled "An Act amending Section (1), Article 9.02 and Article 9.25, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925, as amended, to reduce the rate of the motor fuels tax and to provide for the distribution of the motor fuels tax; amending Subsection (4-b), Section 2, Article XX, Chapter 184, Acts of the 47th Legislature, Regular Session, 1941, as amended (Article 7083a, Vernon's Texas Civil Statutes), to amend the allocation of funds in the Omnibus Tax Clearance Fund; . . . etc.; and declaring an emergency."

S. B. No. 349, A bill to be entitled "An Act permitting residents of Canada to apply for temporary permits for the operation of commercial motor vehicles; etc.; and declaring an emergency."

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill on First Reading

The following bill received from the House, was read the first time and referred to the Committee indicated:

H. B. No. 1858, To Committee on State Affairs.

Recess

On motion of Senator Moore the Senate at 4:05 o'clock p.m. took recess until 4:25 o'clock p.m. today.

After Recess

The President called the Senate to order at 4:25 o'clock p.m.

Report of Standing Committee

By unanimous consent, Senator Moore submitted the following report for the Committee on State Affairs:

H. B. No. 1858.

House Bills on First Reading

The following bills received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 977, To Committee on Water and Conservation.

H. B. No. 1016, To Committee on Public Health.

H. B. No. 1046, To Committee on Water and Conservation.

H. B. No. 1053, To Committee on County, District and Urban Affairs.

H. B. No. 1117, To Committee on County, District and Urban Affairs.

House Bill 1424 on Third Reading

The President laid before the Senate as pending business H. B. No. 1424.

Senator Word moved that Senate Rule 30 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 1424 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Beckworth
Bates	Bernal

Blanchard	Kennard
Bridges	Kothmann
Brooks	Mauzy
Christie	McKool
Connally	Moore
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word
Jordan	

Nays—2

Patman	Ratliff
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—17

Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Bridges	Mauzy
Brooks	McKool
Christie	Schwartz
Hall	Wallace
Harrington	Wilson
Herring	

Nays—14

Aikin	Moore
Blanchard	Patman
Connally	Ratliff
Creighton	Sherman
Grover	Snelson
Harris	Watson
Hightower	Word

House Bill 1620 on Second Reading

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1620, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Article XVI, Section 59, Constitution of Texas, to be known as Varner Creek Utility District of Brazoria County, Texas; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 1620 on Third Reading

Senator Schwartz moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 1620 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

(President Pro Tempore in Chair.)

House Bill 1353 Ordered Not Printed

On motion of Senator Patman and by unanimous consent, H. B. No. 1353 was ordered not printed.

House Bill 1353 on Second Reading

On motion of Senator Patman and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1353, A bill to be entitled "An Act relating to the salaries of deputy sheriffs in certain counties; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 1353 on Third Reading

Senator Patman moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 1353 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Creighton
Bates	Grover
Beckworth	Hall
Bernal	Harrington
Blanchard	Harris
Bridges	Herring
Brooks	Hightower
Christie	Jordan
Connally	Kennard

Kothmann	Sherman
Mauzy	Snelson
McKool	Wallace
Moore	Watson
Patman	Wilson
Ratliff	Word
Schwartz	

**Motion to Place
House Bill 384 on Second Reading**

Senator Hall asked unanimous consent to suspend the regular order of business and take up H. B. No. 384 for consideration at this time.

There was objection.

Senator Hall then moved to suspend the regular order of business and take up H. B. No. 384 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—17

Aikin	Hightower
Bates	Patman
Blanchard	Ratliff
Bridges	Schwartz
Christie	Sherman
Connally	Snelson
Creighton	Wilson
Hall	Word
Harrington	

Nays—14

Beckworth	Kennard
Bernal	Kothmann
Brooks	Mauzy
Grover	McKool
Harris	Moore
Herring	Wallace
Jordan	Watson

Report of Standing Committee

By unanimous consent, Senator Creighton submitted the following report for the Committee on Water and Conservation:

H. B. No. 1153.

House Bill 1153 Ordered Not Printed

On motion of Senator Moore and by unanimous consent, H. B. No. 1153 was ordered not printed.

House Bill 1153 on Second Reading

On motion of Senator Moore and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1153, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under and essential to the purposes of Article 16, Section 59 of the Constitution of Texas to be known as 'Montgomery County Utility District No. 4'; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 1153 on Third Reading

Senator Moore moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 1153 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Bridges
Bates	Brooks
Beckworth	Christie
Bernal	Connally
Blanchard	Creighton

Grover	Moore
Hall	Patman
Harrington	Ratliff
Harris	Schwartz
Herring	Sherman
Hightower	Snelson
Jordan	Wallace
Kennard	Watson
Kothmann	Wilson
Mauzy	Word
McKool	

House Bill 542 on Second Reading

On motion of Senator Watson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 542, A bill to be entitled "An Act relating to the engine size of a motorcycle, motor scooter, or motorized bicycle of which a special combination operator and commercial operator restricted license may be issued to any person between the ages 15 and 18 years; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 542 on Third Reading

Senator Watson moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 542 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 1012 on First Reading

Senator Harris moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Harris:

S. B. No. 1012, A bill to be entitled "An Act relating to the status of an area encompassed by the building structure of certain privately-owned professional sport stadiums and by regional airports in certain counties of over 500,000 population; amending Section 23, Article I, Texas Liquor Control Act, as amended (Article 666-23, Vernon's Texas Penal Code); and declaring an emergency."

To Committee on State Affairs.

House Bill 1289 Ordered Not Printed

On motion of Senator Watson and by unanimous consent, H. B. No. 1289 was ordered not printed.

House Bill 1289 on Second Reading

On motion of Senator Watson and by unanimous consent, the regular or-

der of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1289, A bill to be entitled "An Act amending Chapter 14 of the Texas Insurance Code of 1951, Acts 1951, 52nd Legislature, page 868, Chapter 491, as amended, by adding thereto a new article designated Article 14.64, authorizing and empowering local mutual aid associations and statewide mutual assessment companies possessing certain funds above liabilities to issue policies of life insurance as authorized and permitted by Chapter Three of such Insurance Code under certain limited conditions; etc., and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 1289 on Third Reading

Senator Watson moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 1289 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Bernal
Bates	Blanchard
Beckworth	Bridges

Brooks	Mauzy
Christie	McKool
Connally	Moore
Creighton	Patman
Grover	Ratliff
Hall	Schwartz
Harrington	Sherman
Harris	Snelson
Herring	Wallace
Hightower	Watson
Jordan	Wilson
Kennard	Word
Kothmann	

Reports of Standing Committee

By unanimous consent, Senator Brooks submitted the following reports for the Committee on State Departments and Institutions:

H. B. No. 764 (Floor report).

H. B. No. 821 (Floor report).

Senate Resolution 1218

Senator Blanchard offered the following resolution:

Whereas, The Senate of Texas wishes to pay tribute to an outstanding octogenarian of Lubbock County, Texas, Dr. Clifford Bartlett Jones, who was born April 9, 1885; and

Whereas, Dr. Jones exemplifies the spirit of America in the manner in which he has risen to great heights in personal achievement with his formal education of only a high school diploma; and

Whereas, Dr. Jones is known throughout Texas as a "man among men," kind and gentle in manner but strong of character; and

Whereas, Dr. Jones has given of his time and wealth unselfishly in affairs, projects and institutions of his community and State; Now, therefore, be it

Resolved, By the Senate of Texas, That it acknowledge and recognize Dr. C. B. Jones's many achievements by writing them in the Senate Journal for all people of Texas to read: Education: Graduate of Central High School, Kansas City, Mo., 1903. Honorary Degrees: Southwestern University, Georgetown, Texas, L.L.D., 1941; McMurry College, Abilene, Texas, L.L.D., 1939; Texas Tech University, Lubbock, Texas, L.L.D., 1940. Purchasing Agent, Kansas City Bag Mfg. Co., Kansas City, Mo., 1904-07; Vice President and Treasurer, Jacques Steel

Co., Kansas City, Mo., 1907-10; Assistant Resident Manager, S. M. Swenson & Sons of New York City, Spur, Texas, 1911-13; Resident Manager, S. M. Swenson & Sons of New York City, Spur, Texas, 1913-38; President, Texas Tech University, Lubbock, Texas, 1938-44; Ex-President, Spur National Bank, Spur, Texas, 1936-55; Ex-President, Spur Cattle Loan Co., Spur, Texas; one of organizers and Ex-President, Fort Worth-Roswell Highway Assn., Fort Worth, Texas, 1914; Ex-Vice President, Texas Highway Assn., Austin, Texas; Ex-President, Dickens County Agriculture Credit Corp., Spur, Texas; Ex-President, Texas Transcontinental Trail, Fort Worth, Texas; Director for life, West Texas Museum; Ex-Chairman of the Board, Spur National Bank; Director, Fort Worth & Denver Railway Co.; Director and Chairman of the Board, Lubbock National Bank; Director, Mercantile National Bank, Dallas, Texas; Director, Southwestern Public Service Co.; Director, Mercantile Security Life Insurance Co., Dallas, Texas; Ex-Member, Texas Centennial Committee; Ex-Director, Texas Safety Council; Director, Tax Conservation Council of Texas; Ex-Chairman, Dickens County Draft Board, World War I; Ex-Member, District Appellate Draft Board, Northern Judicial District of Texas, World War I; Trustee, Texas Tech University School of Law; Ex-Director, Federal Regional Agriculture Credit Corp., Fort Worth, Texas; Ex-President, Texas Tech Foundation; Director and Ex-President, 1921, one of organizers, 1918, West Texas Chamber of Commerce; Ex-President, Chamber of Commerce, Spur, Texas; Ex-Mayor, Spur, Texas; Ex-Regional Advisor, Public Works Administration for Texas, Louisiana, and New Mexico, under appointment by the President of the United States, 1934; Member, Lubbock Chamber of Commerce; Life Member, Texas Cowboy Reunion Assn.; Member, Philosophy Society of Texas; Member, American Institute of Banking; Member, American Association for the Advancement of Science; Member, Academy of Political Science; Member, Texas Historical Assn.; Member, West Texas Historical Assn.; Member, National Education Assn. of U.S.; Fellow Member, Texas Academy of Science; Ex-National Council, Boy

Scouts of America; Member, National Education Association of the United States; Member, Fort Worth Club since 1920; Member, Lubbock Club since its inception; Honorary Member and Ex-President, Spur Rotary Club, 1915; Honorary Member, Lubbock Rotary Club; Special Texas Ranger; Member of the Board, Scottish Rite Foundation of Texas, 1956; Ex-Member of the Board, Lubbock Symphony; Honorary Member, Block and Bridle Club, Texas Tech University, since its inception; Member, Knight Templar; 33rd Degree, Scottish Rite of Texas and Shrine; Member, Phi Delta Theta Fraternity; Member, Episcopalian Church; President Emeritus and Life Member, Texas Society S.A.R. (State No. 144, National No. 25119), 1922; Honorary Member, Sons of Republic of Texas; Honorary Member, Knights of San Jacinto; Selected by the West Texas Museum Assn. Committee as the representative Civic Leader of West Texas for portrayal as such in the fresco (mural) in the rotunda of the Old Museum of Texas Tech University, Lubbock, Texas; Good Citizenship Award by Texas Society S.A.R., March Convention, 1959; Recipient of MacArthur Award, Sons of the American Revolution, 1965; Listed in Who's Who in the Western Hemisphere; Who's Who in Texas; Poor's Magazine of Directors and Executives; Texian Who's Who; Wharton's History of Texas; History of Lubbock; and be it further

Resolved, That a copy of this Resolution be forwarded to Dr. Clifford Bartlett Jones in recognition of his achievements and with congratulations for the successful and productive life that he has disciplined himself to live.

BLANCHARD
RATLIFF

Signed—Lieutenant Governor Ben Barnes; Aikin, Bates, Beckworth, Bernal, Bridges, Brooks, Christie, Connally, Creighton, Grover, Hall, Harrington, Harris, Herring, Hightower, Jordan, Kennard, Kothmann, Mauzy, McKool, Moore, Patman, Schwartz, Sherman, Snelson, Wallace, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Ratliff and by unanimous consent, the names of

the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Blanchard the resolution was adopted.

Memorial Resolutions

S. R. No. 1222—By Senator Watson: Memorial resolution for the Honorable Frank M. Wilson.

S. R. No. 1223—By Senator Watson: Memorial resolution for M. F. Thomison.

S. R. No. 1224—By Senator Watson: Memorial resolution for William Brooks Fowler.

S. R. No. 1225—By Senator Watson: Memorial resolution for Frank Sims.

Resolutions

H. C. R. No. 63—Requesting Texas Congressional Delegation to use their power to reverse a decision to rule out the location of a Veterans Hospital in the Rio Grande Valley.

H. C. R. No. 139—Comending Gordon Merrill Rubinett for his scholastic achievements.

S. R. No. 1210—By Senator Wallace: Extending welcome to students and sponsors of Lula M. Stevens Elementary School of Houston.

S. R. No. 1212—By Senators Aikin and Herring: Extending appreciation to Webster W. Glass on his retirement.

S. R. No. 1214—By Senators Herring and Aikin: Extending apprecia-

tion to Luke Robinson on his retirement.

S. R. No. 1215—By Senator Herring: Extending commendations to the Reverend Louis Pabor on his 30 years of rewarding service in the ministry.

S. R. No. 1219—By Senator Hall: Extending welcome to Miss Maria Mahrer, "Miss Greenville, 1971."

S. R. No. 1220—By Senator Watson: Extending welcome to students of the Milano Junior High School.

S. R. No. 1221—By Senator Herring: Extending welcome to Social Studies students from Murchison Junior High.

S. R. No. 1226—By Senator Herring: Extending welcome to the Reverend R. D. Wade.

Recess

On motion of Senator Aikin the Senate at 5:00 o'clock p.m. took recess until 10:00 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

May 13, 1971

S. B. No. 629.

S. B. No. 612.

S. B. No. 40.

In Memory of Leonard Coe Scruggs

Senator Herring offered the following resolution:

(Senate Resolution 1213)

Whereas, In the passing of Leonard Coe Scruggs on the twenty-fifth day of September, 1970, at the age of 41 years, the City of Austin and the State of Texas suffered the loss of a dynamic and esteemed citizen; and

Whereas, Leonard Coe Scruggs was born in Dallas, Texas, on October 3, 1928, and spent his early years there and in Fort Worth; at the age of sixteen years, he left Highland Park High School before graduating, and entered the University of Chicago on his own intellectual merits; he transferred to New York University; and completed his undergraduate work at The University of Texas where he earned a Bachelor of Science degree in 1952; and

Whereas, Before beginning his career, he served for three years in the United States Army and was discharged as a 1st Lieutenant in 1955; he then began employment as managing director of the Premier Consolidated Oilfields, Limited, in Trinidad and London; from there he accepted the directorship of the Internal Mining Corporation, the Veritable Annuity Life Insurance Company, and the Maryland Casualty Company; and he was elected financial vice president of the American General Investment Corporation in Houston; and

Whereas, He was "a supremely well educated man . . . who used words flamboyantly and gloriously and was known as the most generous of hosts, the easiest of guests and the nicest of companions"; he wrote columns for the Weekly Bond Buyer of New York and the Houston Post; and

Whereas, Leonard Coe Scruggs was internationally known and loved; in the words of an English friend, as "a strong, tough and youthful figure, winning his points with gentlemanly forcefulness . . ." and as having "manners as impeccable as only the best American manners can be"; and

Whereas, It is the desire of the Senate to express deepest sympathy to his devoted wife, Suzanne Hamilton Scruggs, and to his three children, Jules, Suzanne and Stewart, of Austin, Texas; now, therefore, be it

Resolved, That the Senate of the 62nd Legislature desires to pay highest honor to the memory of Leonard Coe Scruggs, a great man and a fine American; that copies of this Resolution be prepared for members of his family; and that when the Senate adjourns today, it do so in his honor.

HERRING

Signed—Lieutenant Governor Ben Barnes; Aikin, Bates, Beckworth, Bernal, Blanchard, Bridges, Brooks, Christie, Connally, Creighton, Grover, Hall, Harrington, Harris, Hightower, Jordan, Kennard, Kothmann, Mauzy, McKool, Moore, Patman, Ratliff, Schwartz, Sherman, Snelson, Wallace, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Herring the resolution was adopted by a rising vote of the Senate.